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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 0733MH-42278C

In re Application of:

FREDERICK ENNS ET AL.

Serial No. 10/725,919

Filed: 2 DECEMBER 2003

For: HIGH SPEED INTERNET ACCESS SYSTEM

PETITION TO OFFICE OF PETITIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

(1) On 2 December 2003, Applicant filed a continuation application of prior application Serial No. 08/899,883, now USPN 6,658,010.

(2) On information and belief, with the filing of the continuation application, Applicant filed a complete copy of prior application Serial No. 08/899,883 including the patent drawings (Figures 1-5). See the attached Declaration of Melvin A. Hunn and Suzy Bradshaw.

<b>CERTIFICATE OF MAILING</b> 37 CFR § 1.8(a)	
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail service under 37 C.F.R. § 1.8(a) on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Date of Deposit: <u>9 JULY 2004</u>	By: <u>[Signature]</u>

07/14/2004 MAHME1 00000024 10725919

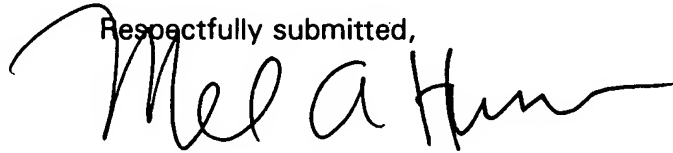
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130.00 OP

- (3) Attached find a copy of those patent drawings (11 sheets).
- (4) The current application is entitled to the filing date of 2 December 2003.
- (5) Applicant respectfully request a refund of the petition fee which is enclosed herewith.

Enclosed is a check in the amount of \$130.00 for the Petition. Please charge any additional fees to our Deposit Account No. 50-1060. A duplicate of this petition is enclosed for this purpose.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mel A Hunn", with a long horizontal flourish extending to the right.

Melvin A. Hunn  
Reg. No. 32,574  
Hill & Hunn LLP  
201 Main Street, Suite 1440  
Fort Worth, Texas 76102  
(817)332-2113  
ATTORNEY FOR APPLICANT(S)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 0733MH-42278C

In re Application of:

**FREDERICK ENNS ET AL.**

Serial No. 10/725,919

Filed: 2 DECEMBER 2003

For: HIGH SPEED INTERNET ACCESS SYSTEM

**RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

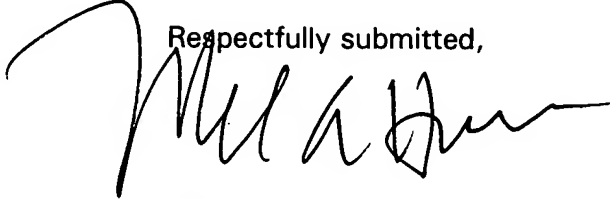
Sir:

In response to the Notice of Incomplete Provisional Application mailed 12 May 2004, enclosed herewith find a Petition which is directed to the Office of Petitions with a check for the fee required under 37 CFR 1.17(b)

<i>CERTIFICATE OF MAILING</i> <i>37 CFR § 1.8(a)</i>	
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail service under 37 C.F.R. § 1.8(a) on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Date of Deposit: <i>9 July 2004</i>	Bv: <i>[Signature]</i>

Enclosed is a check in the amount of \$130.00 for the Petition. Please charge any additional fees to our Deposit Account No. 50-1060. A duplicate of this petition is enclosed for this purpose.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mel A. Hunn', written over the typed name.

Melvin A. Hunn  
Reg. No. 32,574  
Hill & Hunn LLP  
201 Main Street, Suite 1440  
Fort Worth, Texas 76102  
(817)332-2113  
ATTORNEY FOR APPLICANT(S)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 0733MH-42278C

In re Application of:

**FREDERICK ENNS ET AL.**

Serial No. **10/725,919**

Filed: **2 DECEMBER 2003**

For: **HIGH SPEED INTERNET ACCESS SYSTEM**

**DECLARATION OF SUZY BRADSHAW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

(1) I am an employee of Hill & Hunn, LLP and have been employed in the field of patent law as a secretary and assistant since the inception of Hill & Hunn LLP on 1 October 1999 through present. Prior to that I had been employed solely as a secretary and assistant in the field of intellectual property from approximately August 1985 through September 31, 1999 working for the firms of: Felsman, Bradley, Gunter & Dillon, The Law Offices of Elisabeth Mark; and Jones, O'Keefe & Egan. My experience as secretary and assistant in the field of intellectual property law is approximately eighteen years.

<p><i>CERTIFICATE OF MAILING</i> <i>37 CFR § 1.8(a)</i></p>	
<p>I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail service under 37 C.F.R. § 1.8(a) on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p>	
Date of Deposit:	<i>9 July 2008</i> Bv: <i>[Signature]</i>

(3) I executed the Express Mail Certificate for the above-identified application on 2 December 2003.

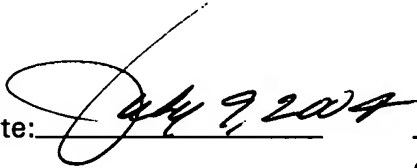
(4) As is my practice, I reviewed the materials that were being mailed.

(5) While I have no specific recollection, I would have, in accordance with my routine practice, ensured that the patent drawings were filed with the photocopy of the original patent application.

(6) I have no reason to believe that the patent drawings were excluded from the package that I mailed to the USPTO on 2 December 2003.

(7) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: \_\_\_\_\_

 44 9, 2004

  
Suzy Bradshaw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 0733MH-42278C

In re Application of:

**FREDERICK ENNS ET AL.**

Serial No. 10/725,919

Filed: 2 DECEMBER 2003

For: **HIGH SPEED INTERNET ACCESS SYSTEM**

**DECLARATION OF MELVIN A. HUNN**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

- (1) I am a partner in the law firm of Hill & Hunn, LLP.
- (2) I have been practicing intellectual property law since approximately May of 1986 on a full-time basis.
- (3) I have filed numerous continuation applications during that interval.
- (4) I am well aware of the requirement of filing a photocopy of the prior application with the continuation paperwork. In the present application, I reviewed the package prior to mailing.
- (5) In the continuation paperwork I verified that a true and correct copy of the application as filed was included in the package.

<b>CERTIFICATE OF MAILING</b> 37 CFR § 1.8(a)	
I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail service under 37 C.F.R. § 1.8(a) on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Date of Deposit: <i>9 JULY 2004</i>	By: <i>[Signature]</i>

(6) The package as mailed included a return postcard which identified the items being mailed as including "a complete copy of the prior application serial no. 08/899,883, including the oath as originally filed."

(7) I handed the file to my assistant Suzy Bradshaw for mailing.

(8) I believe that she prepared the package for mailing to the USPTO.

(9) I have no reason to believe that she failed to include patent drawings with the filing documents of the continuation application.

(10) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: \_\_\_\_\_

9 July 2004



Melvin A. Hunn





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/725,919	12/02/2003	Frederick Enns	0733MH-42278C

Melvin A. Hunn, Esq.  
 HILL & HUNN LLP  
 Suite 1440  
 201 Main Street  
 Fort Worth, TX 76102



CONFIRMATION NO. 3149

## FORMALITIES LETTER



\*OC000000012608755\*

Date Mailed: 05/12/2004

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

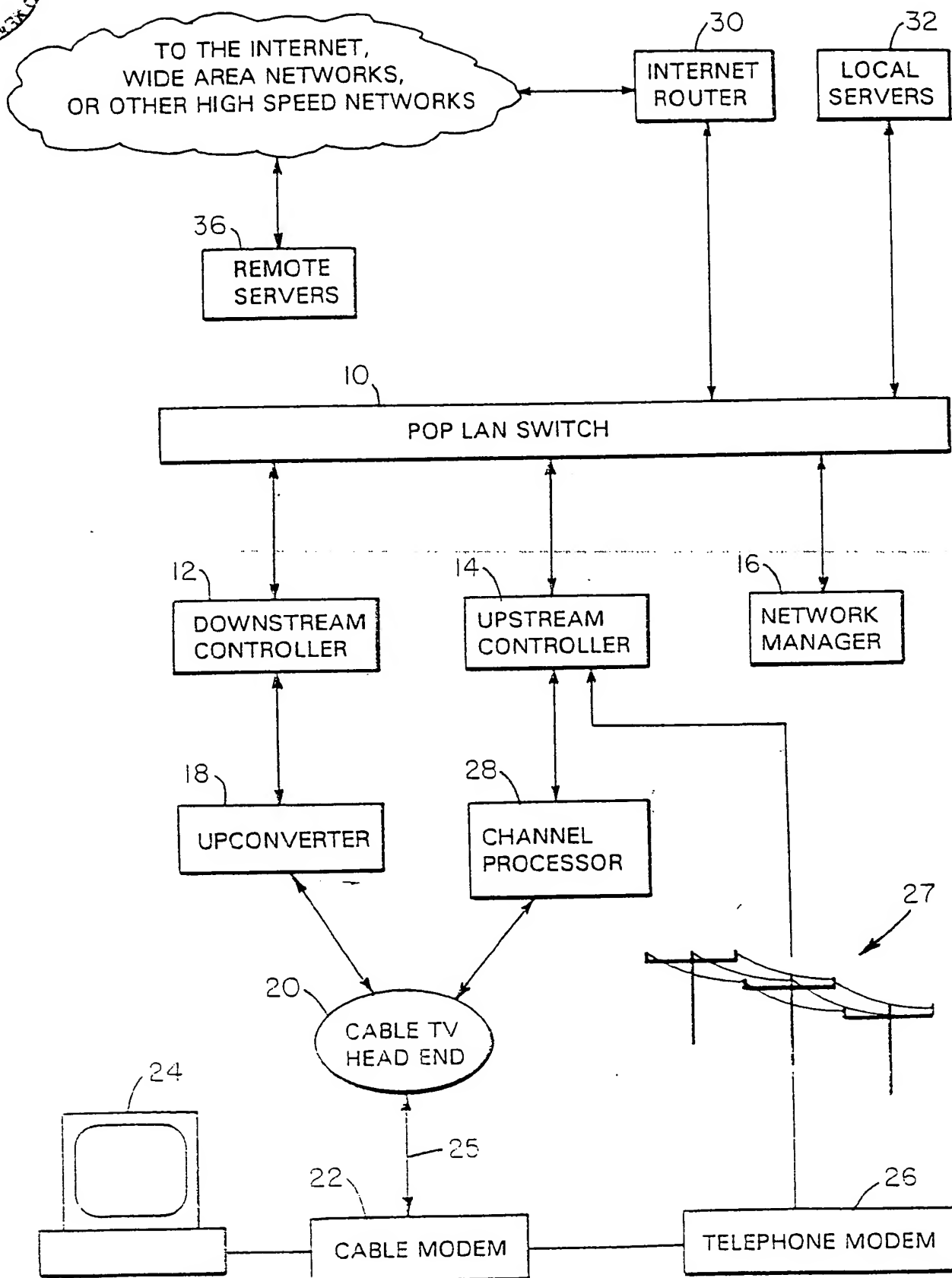
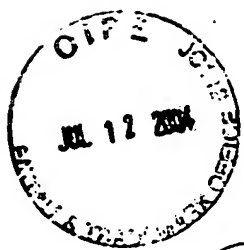


FIG. 1

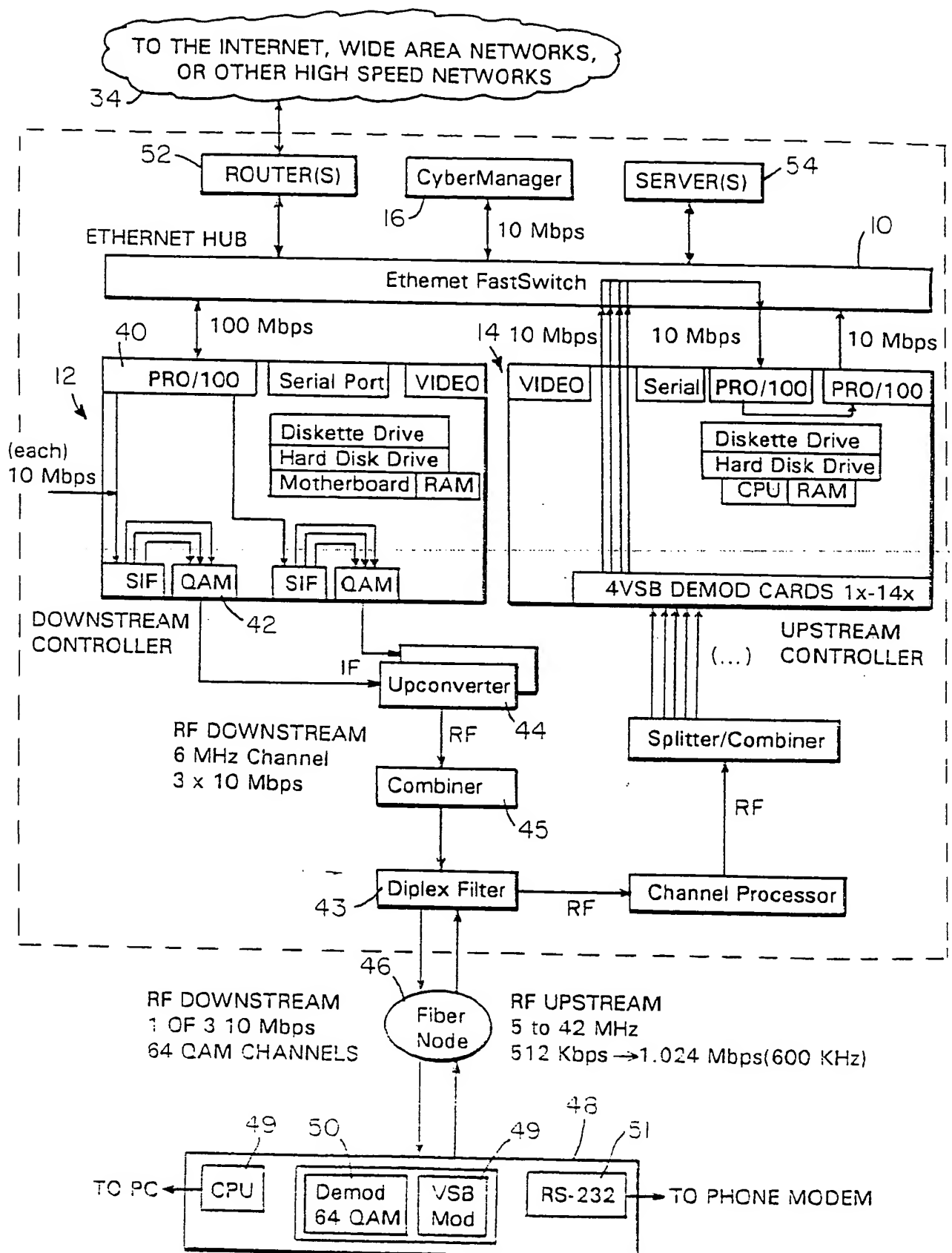


FIG. 2

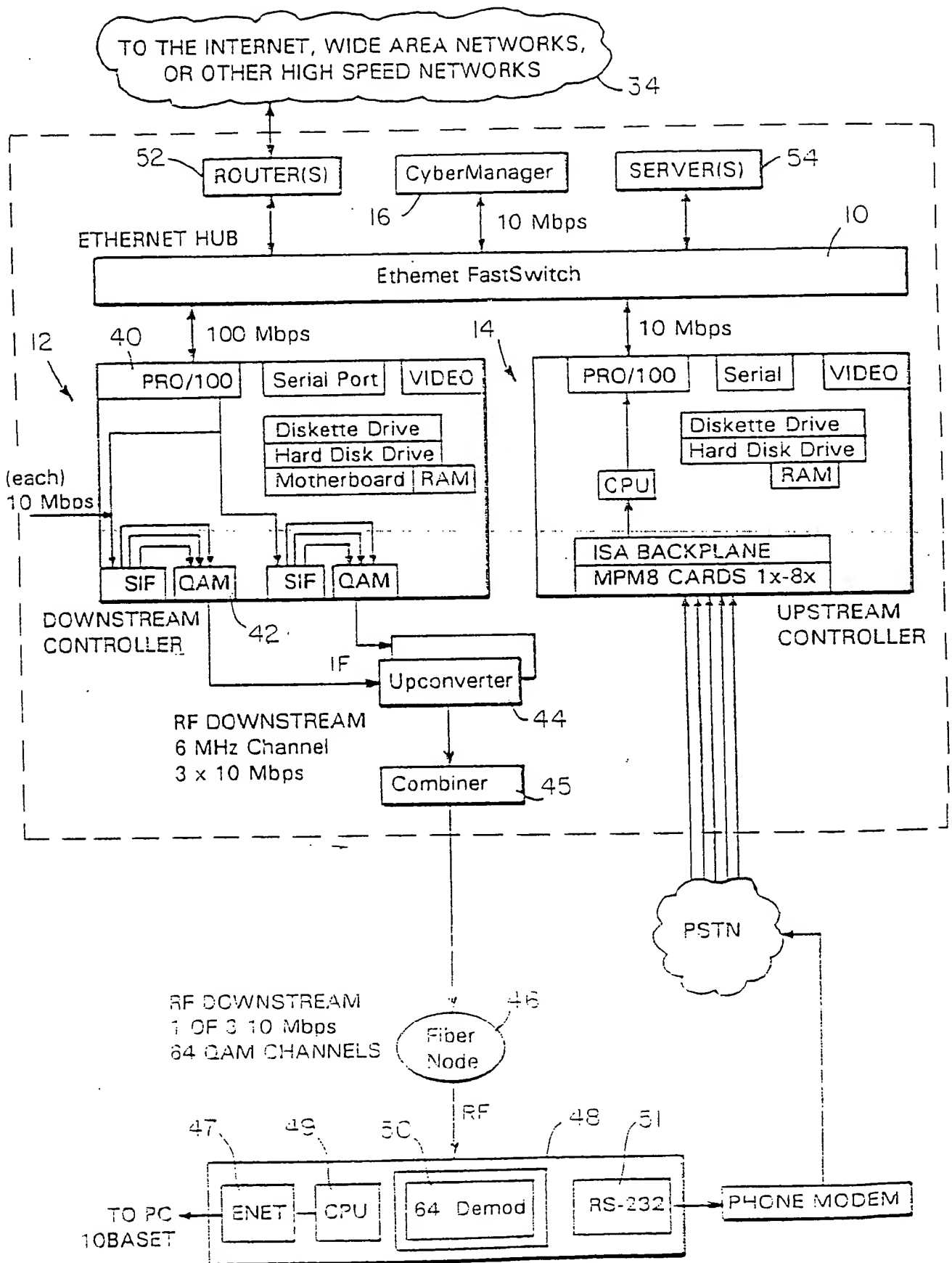


FIG. 3

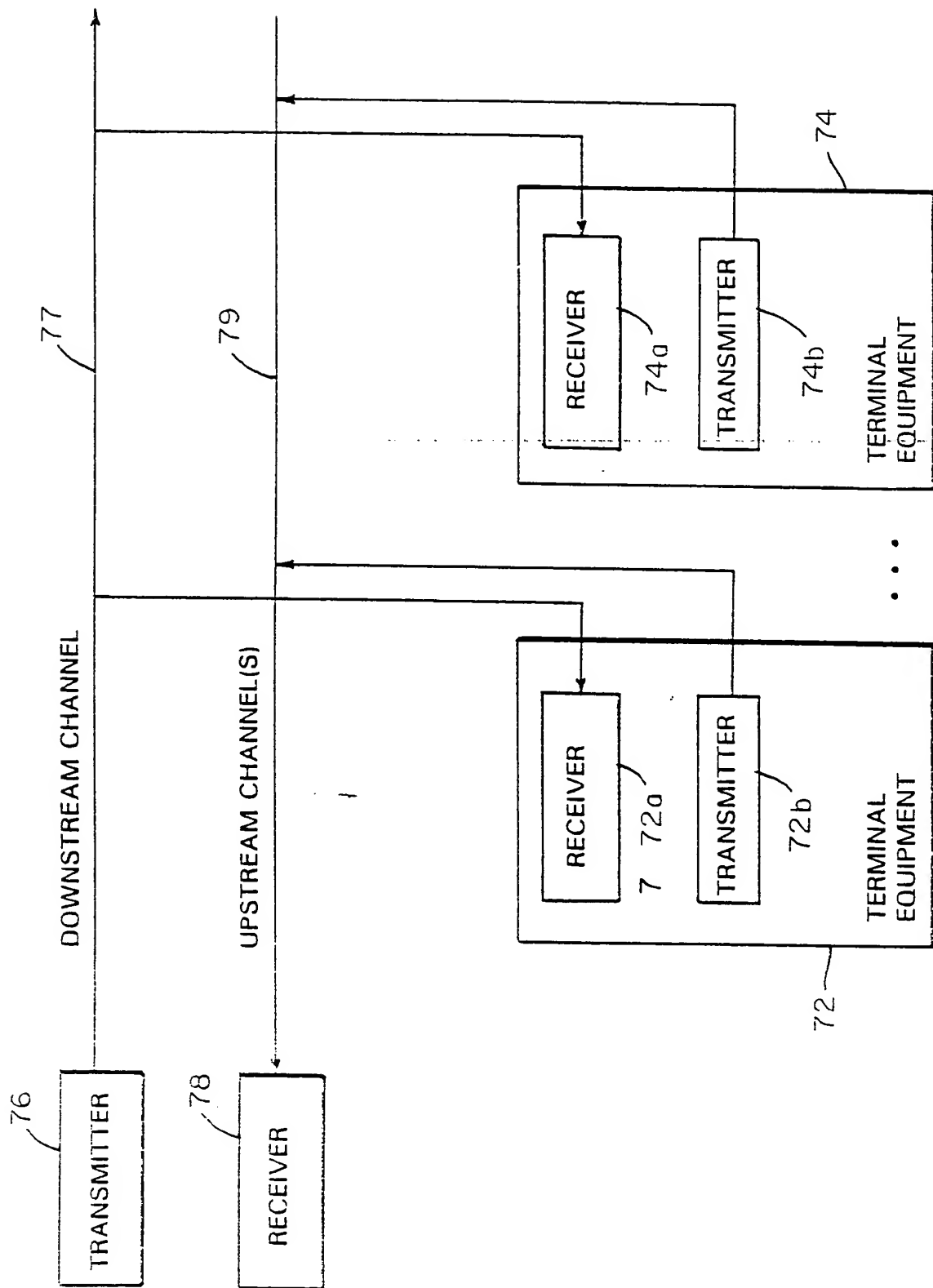


FIG. 4A

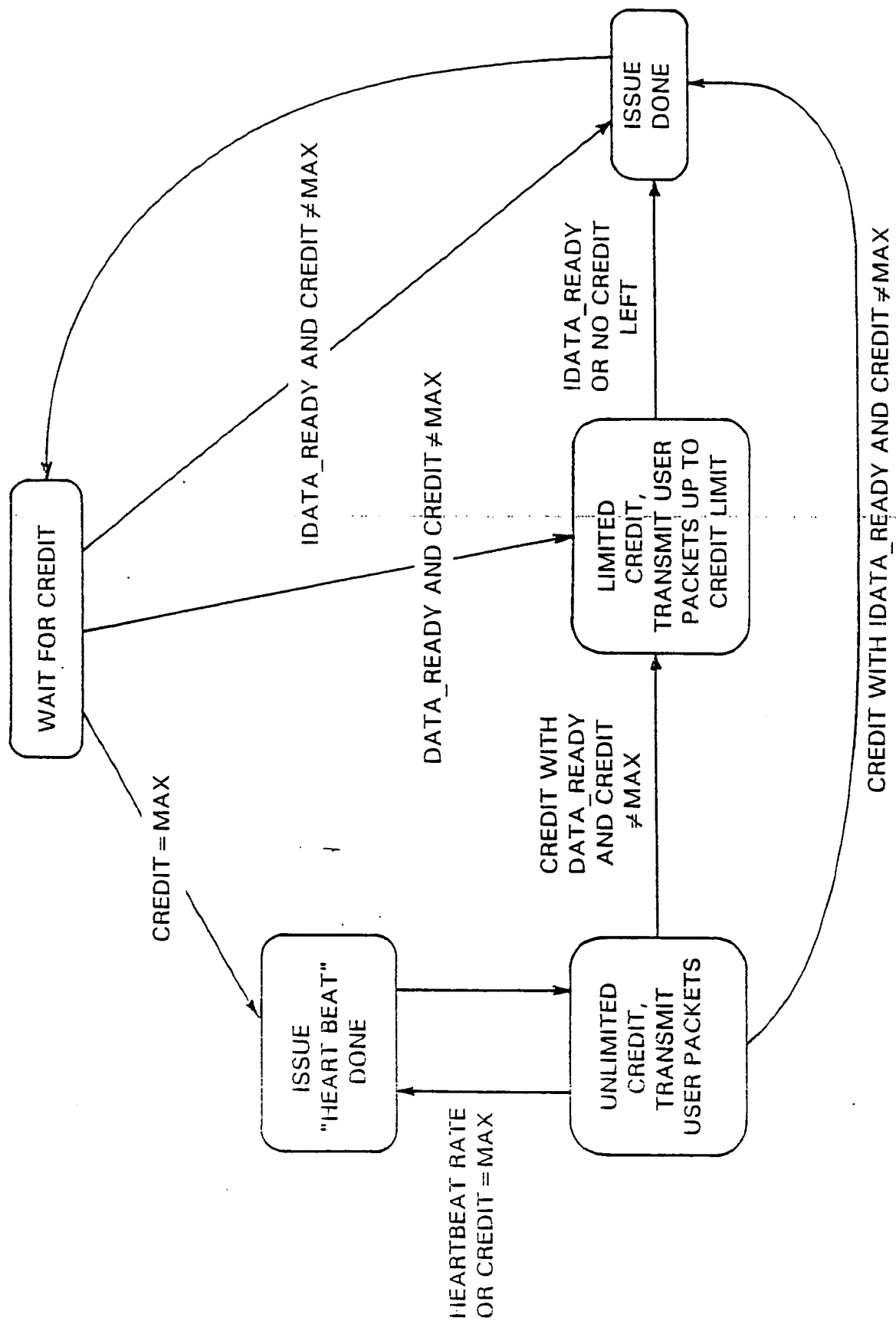


FIG. 4B

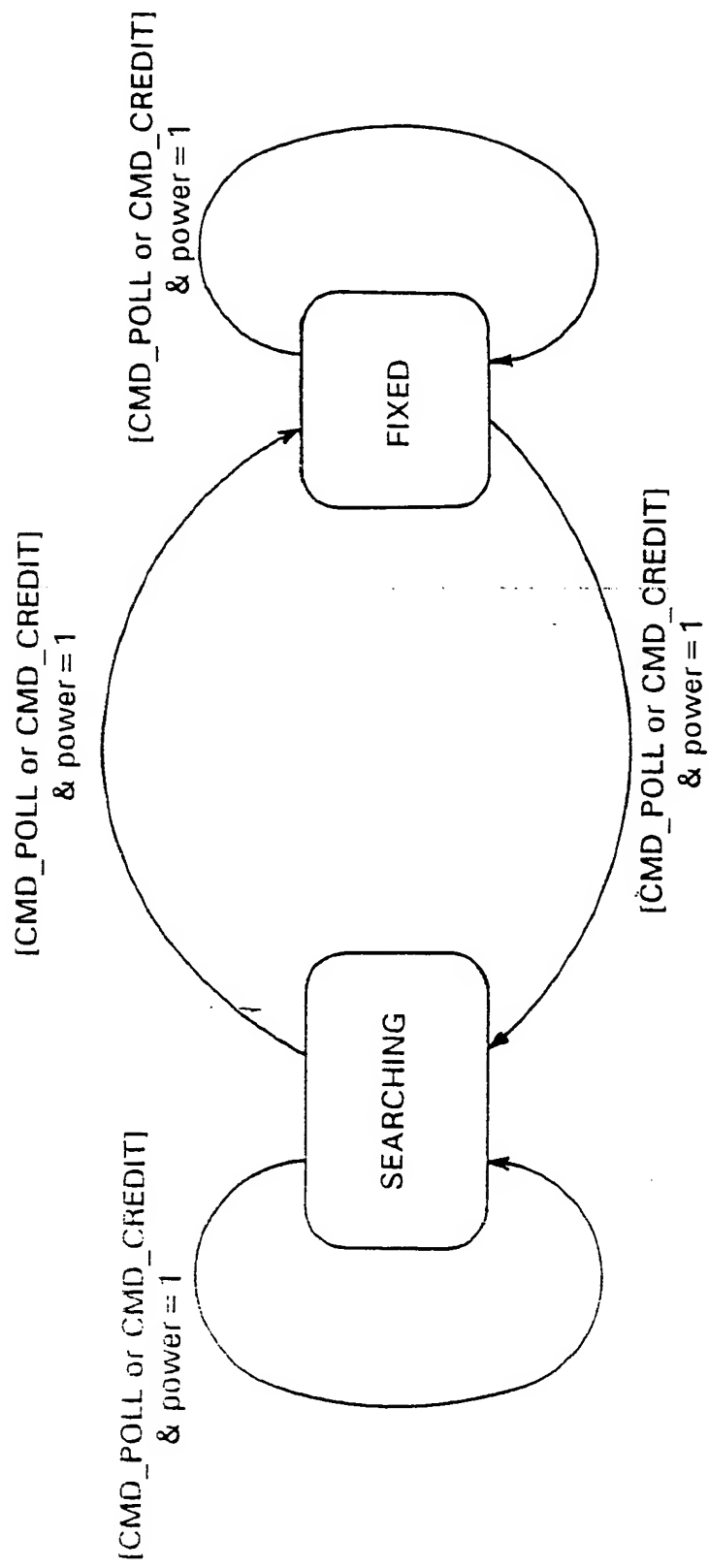


FIG. 4C



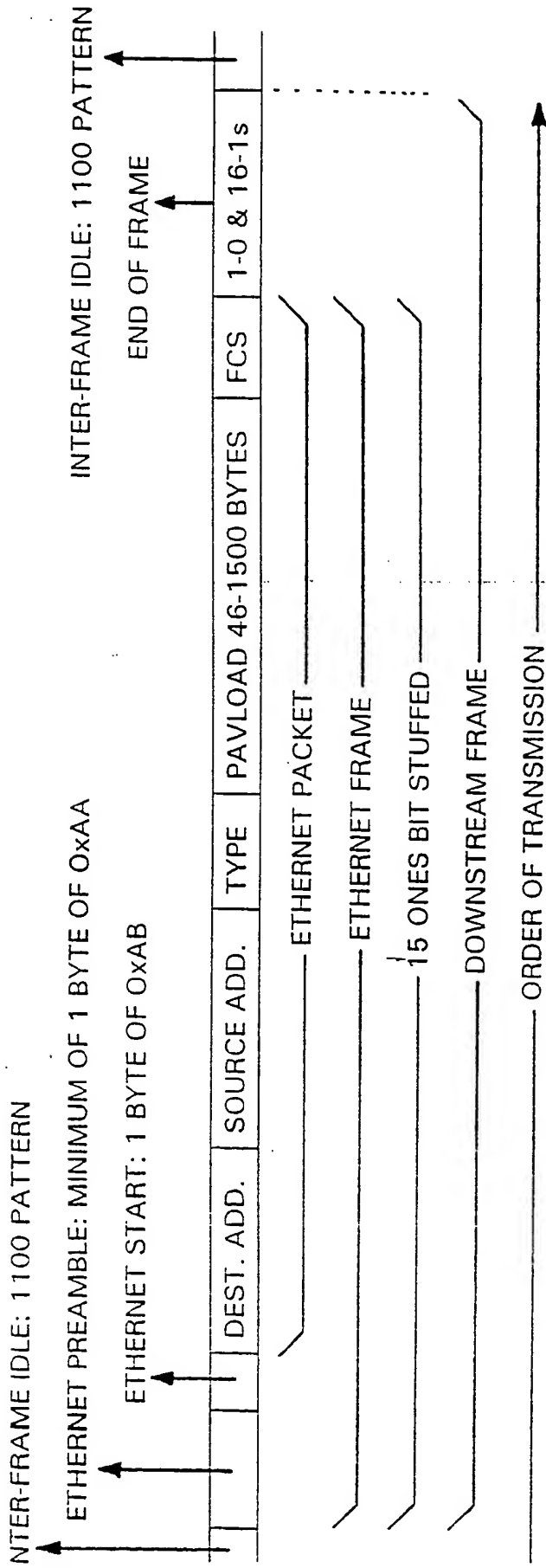


FIG. 4D

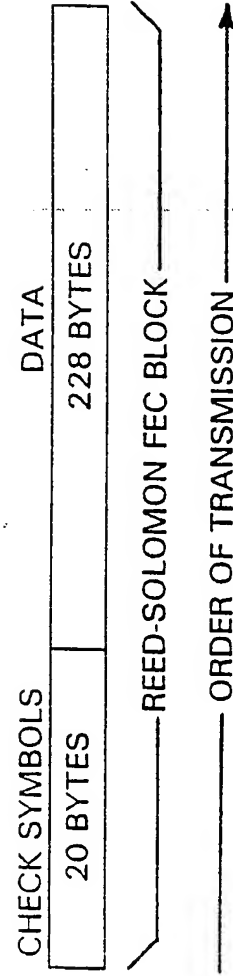


FIG. 4E

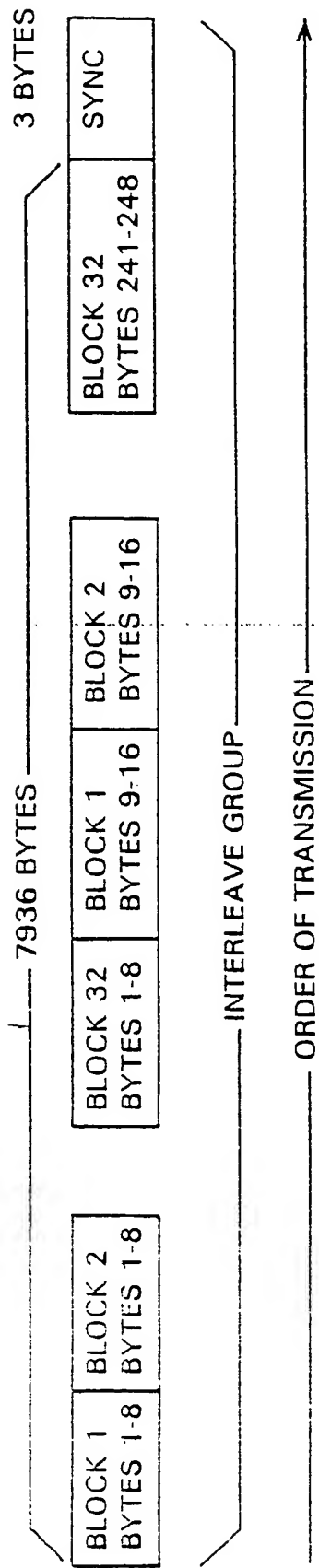


FIG. 4F

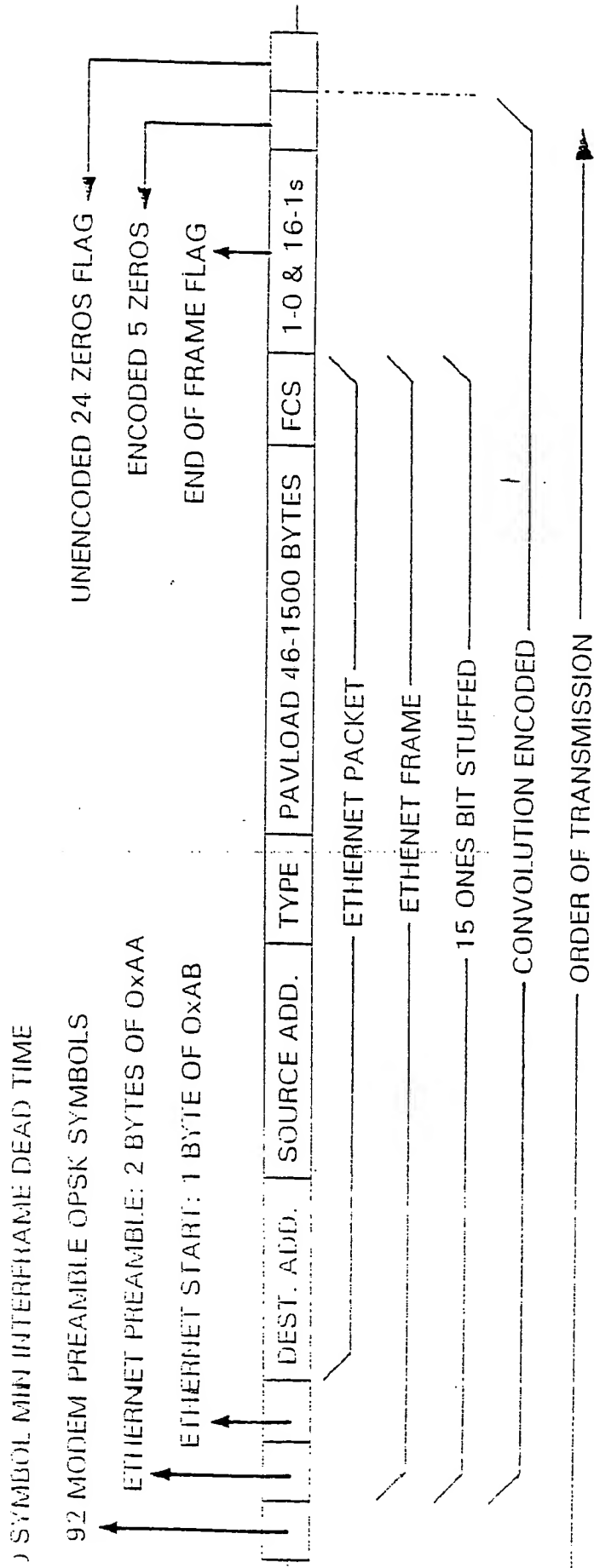


FIG. 4G

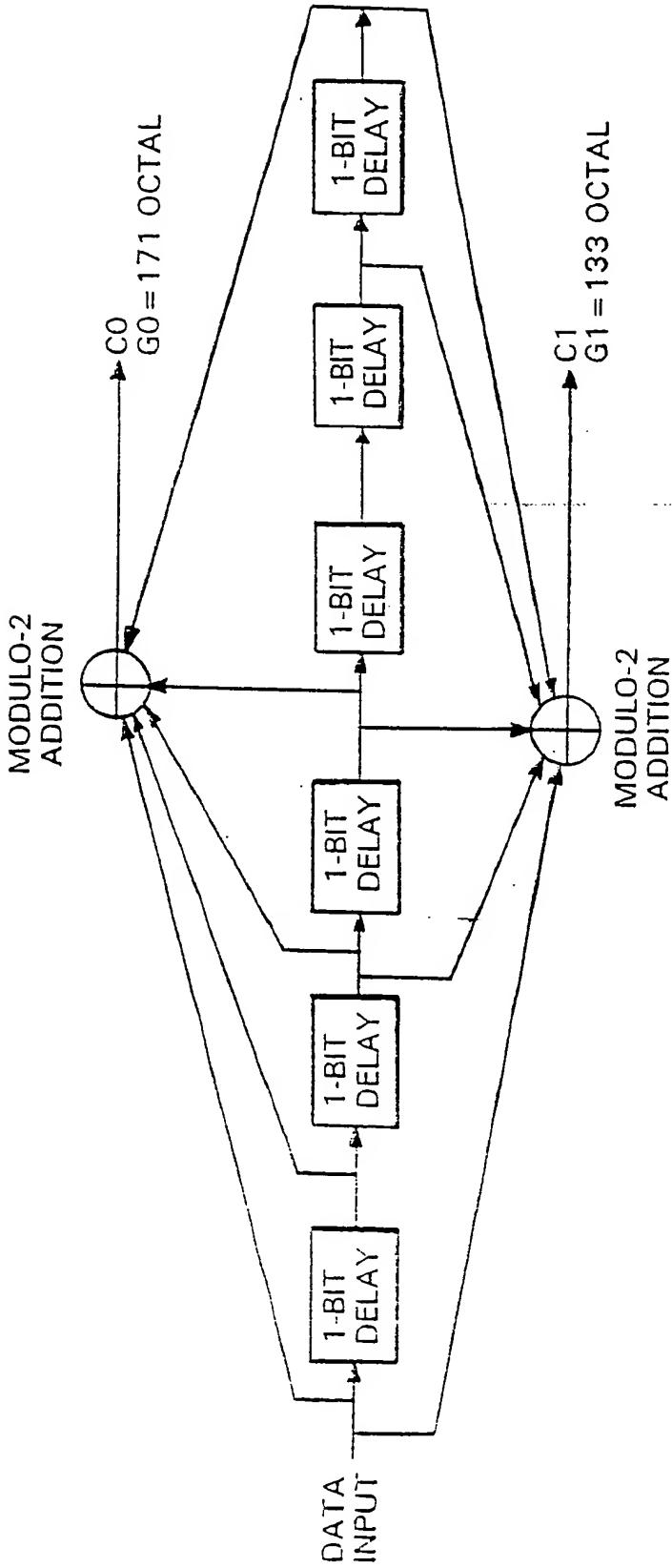


FIG. 4H

$C_0(1)$	$\langle C_0(2) \rangle$	$C_0(3)$	$C_0(4)$	$\langle C_0(5) \rangle$	$C_0(6)$
$C_1(1)$	$C_1(2)$	$\langle C_1(3) \rangle$	$C_1(4)$	$C_1(5)$	$\langle C_1(6) \rangle$

3/4 PUNCTURED CODING SYSTEM SHOWING THE CODES TRANSMITTED  $C_x(n)$  AND THE CODES DELETED  $\langle C_x(n) \rangle$

FIG. 4I

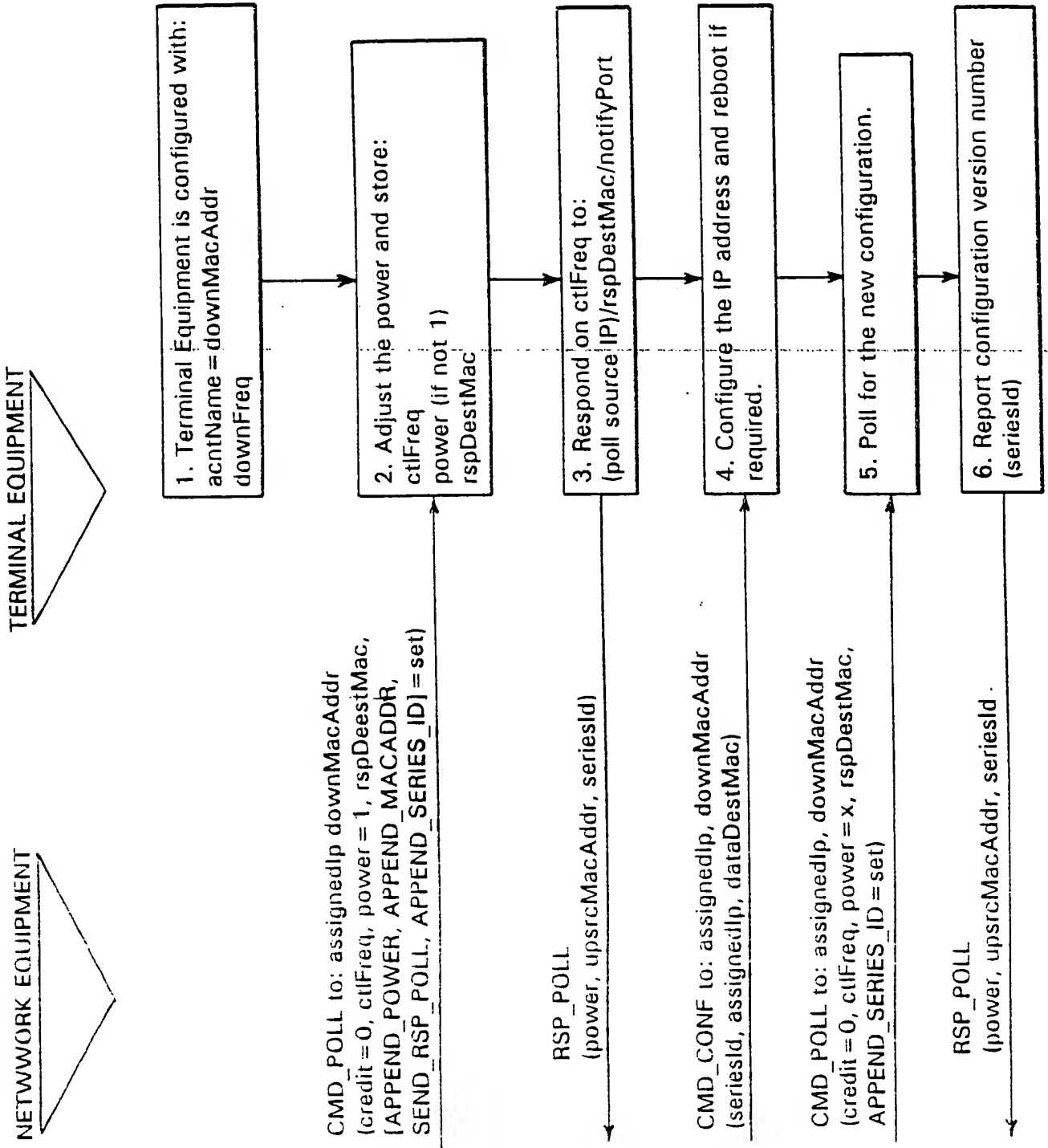


FIG. 5